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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/551,757	06/30/2006	Johan Georg Pettersson	PETT3004/JEK	4404
23364 7590 03/03/2010 BACON & THOMAS, PLLC 625 SLATERS LANE FOURTH FLOOR ALEXANDRIA, VA 22314-1176				
EXAMINER STIMPERT, PHIL/PEARL				
ART UNIT 3746		PAPER NUMBER		
MAIL DATE 03/03/2010		DELIVERY MODE PAPER		

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

# Office Action Summary

**Application No.**

10/551,757

**Applicant(s)**

PETTERSSON, JOHAN GEORG

**Examiner**

Philip Stimpert

**Art Unit**

3746

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 17 November 2009.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-13 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-13 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 03 October 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/5508)
- 4) ☐ Interview Summary (PTO-413)
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_
- Paper No(s)/Mail Date \_\_\_\_\_

**DETAILED ACTION**

***Claim Rejections - 35 USC § 112***

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claims 1-13 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.
3. Regarding claim 1, the limitations of "their respective outlets" in lines 5-6 and of "the memory" in line 16 lack antecedent basis in the claim.
4. Further regarding claim 1, the claim is framed as a method. However, it is unclear if any active steps of a method or process are actually set forth by the claim. Clarification of the nature of the method is required.
5. Regarding claim 2, the antecedent basis of "at least one control order," is unclear. In particular, it is not clear whether this is synonymous with or separate from the control order recited in line 19 of claim 1. Similarly, it is unclear how the recitations of "a compressor" and "one or several compressors" through the rest of the claim relate to the two or more compressors recited by claim 1. Finally, the limitation of "the rotational speed" lacks antecedent basis in the claim.
6. Regarding claim 3, the claim appears to be drafted in reverse from the specification, i.e. page 10 lines 8-14. In particular, the claim appears to require the control system to move the pressure **away** from the setpoint, rather than toward it.

7. Regarding claim 4, the limitation of "the most favourable control order" lacks antecedent basis in the claim. Further, the meaning of the following clause "of the scores," is unclear, as it seems from the original recitation that the scores are attributes of the control orders rather than the other way around. Finally, the use of "concerned" in the last line of the claim does not appear to describe any functional relationship between the control order and a score. The examiner is effectively interpreting this limitation as "having," in place of "concerned with."

8. Regarding claims 7 and 8, the limitations of "the supplied flow," "the required flow," and "the hypothetically supplied flow" in these claims lack antecedent basis.

9. Regarding claim 12, the recitation of "a compressed air installation" in line 1 constitutes a second positive recitation of that limitation. Similarly, "a pressure sensor" and "an evaluation table" have already been recited by claim 1.

10. Regarding claim 13, the following limitations have previously been recited by claim 1: "a single compressed air network," "one or several control units", "a pressure sensor," and "a control box." Clarification of the antecedent basis or lack thereof of these limitations is required.

11. Further regarding claim 13, the claim recites "comprising one or more compressors." This is indefinite in several respects. First, it causes disagreement with the later plural usage of "compressors," "outlets," and "each compressor." Second, it contradicts the scope of claim 1, which claims two or more electrical compressors. As such, claim 13 contains a broader range (1 to infinity) than claim 1 (2 to infinity), which is impermissible in a dependent claim.

***Allowable Subject Matter***

12. Claims 1-13 would be allowable if rewritten or amended to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action.
13. The following is a statement of reasons for the indication of allowable subject matter: the evaluation table containing various control order scores is not shown in the prior art of record.

***Response to Arguments***

14. Applicant's arguments, see page 7, filed 11/17/2009, with respect to the rejection(s) of claim(s) 1-4 have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made under 35 U.S.C. 112.

***Conclusion***

15. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. US Patent 7,600,981 to Lau teaches a system of adjusting the output of multiple rotary compressors.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Philip Stimpert whose telephone number is (571)270-1890. The examiner can normally be reached on Mon-Fri 7:30AM-4:00PM, EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Devon Kramer can be reached on (571) 272-7118. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Charles G Freay/  
Primary Examiner, Art Unit 3746

/P. S./  
Examiner, Art Unit 3746  
26 February 2010